

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER T1118/20079
		U.S. APPLICATION NO. (If known, see 37 CFR 1.5) 10/521,994
INTERNATIONAL APPLICATION NO. PCT/US2004/021831	INTERNATIONAL FILING DATE July 8, 2004	PRIORITY DATE CLAIMED July 8, 2003
TITLE OF INVENTION STEROID LIPID-MODIFIED POLYURETHANE AS AN IMPLANTABLE BIOMATERIAL, THE PREPARATION AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US Robert J. LEVY, et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

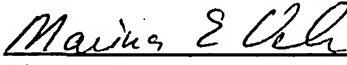
1. ☐ This is a **FIRST** submission of items concerning a submission under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a submission under 35 U.S.C. 371.
3. ☐ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371 (c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 & 3.31 is included.
13. ☐ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published International Application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the International Application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information: Express Mail Transmittal EL 962210383 US, Submission of Declaration, return receipt postcard

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)		INTERNATIONAL APPLICATION NO.		ATTORNEY'S DOCKET NO.	
10/521,994		PCT/US2004/021831		T1118/20079	
The following fees have been submitted:				CALCULATIONS	
21. <input type="checkbox"/> Basic national fee \$300				\$	
22. <input type="checkbox"/> Examination fee If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) \$100 All other situations \$200				\$	
23. <input type="checkbox"/> Search fee Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority \$100 International Search Report prepared and provided to the Office \$400 All other situations \$500 TOTAL OF 21, 22 and 23 =				\$	
<input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE	\$	
- 100 =	/50 =		x \$250		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$130.00	
CLAIMS	NO. FILED	NUMBER EXTRA	RATE	\$	
Total claims	- 20 =		x \$50	\$	
Independent	- 3 =		x \$200	\$	
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$360	\$	
TOTAL OF ABOVE CALCULATIONS =				\$130.00	
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
SUBTOTAL =				\$65.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				+	
TOTAL NATIONAL FEE =				\$	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				+	
TOTAL FEES ENCLOSED =				\$65.00	
04/29/2005 SNAJARRO 00000058 030075 10521994				Amount to be refunded:	
01 FC:261 65.00 DA				\$	
				Amount to be charged:	
				\$65.00	
a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.					
b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. 03-0075 in the amount of \$65.00 to cover the above fees. A duplicate copy of this sheet is enclosed.					
c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. SNAJARRO 00000058 030075. A duplicate copy of this sheet is enclosed.					
d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.					
NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the Application to pending status.					
SEND ALL CORRESPONDENCE TO:					
<div style="border: 1px solid black; padding: 5px; display: inline-block;">Customer No. 03000</div>					
<div style="text-align: right;"> SIGNATURE Marina F. Volin NAME 52,328 REGISTRATION NUMBER</div>					

Attn. Docket No. T1118/20079
PTO Customer No. 03000

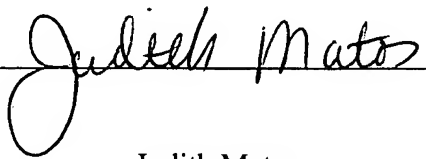
Applicants : Robert J. LEVY, et al.
U.S. Application No. : 10/521,994
Filing Date : January 19, 2005
Title : STEROID LIPID-MODIFIED POLYURETHANE
AS AN IMPLANTABLE BIOMATERIAL, THE
PREPARATION AND USES THEREOF

The following documents are submitted for completion of U.S. National stage under 35 U.S.C. §371 requirements, based on the International Application No. PCT/US2004/021831, which includes the following:

1. One (1) sheet of Transmittal Letter;
2. One (1) Calculation Sheet, in duplicate;
3. Submission of Declaration;
4. Executed Declaration and Power of Attorney; and
5. Return Receipt Postcard.

“Express Mail” Mailing Label No. EL 962210383 US
Date of Deposit: April 26, 2005

I hereby certify that the above-identified documents are being deposited with the United States Postal Service “Express Mail Post Office to Addressee” service under 37 CFR 1.10 on the date indicated above and is addressed to: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450



Judith Matos

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT EXAMINING OPERATION

Applicant(s): Robert J. LEVY, et al.

Serial No: 10/521,994

Group Art Unit:

Filed: January 19, 2005

Examiner:

Att. Docket No.: T1118/20079

Confirmation No.:

For: STEROID LIPID-MODIFIED POLYURETHANE AS AN IMPLANTABLE
BIOMATERIAL, THE PREPARATION AND USES THEREOFSUBMISSION OF DECLARATIONMail Stop PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

We enclose herewith a Declaration and Power of Attorney to complete the filing requirements of the above application under 35 U.S.C. 371. Authorization to charge the \$65.00 small entity surcharge under 37 CFR 1.482(e) is granted in the attached Transmittal Letter and Calculation sheet.

The Declaration is compliant with 37 CFR 1.497(a) and (b) when read in conjunction with the Application Data Sheet filed January 19, 2005, which identifies the International Application Number (PCT/US2004/021831) and International Filing Date (July 8, 2004). 37 CFR §§ 1.497(c) and 1.67.

As of this date, a Notification of Missing Requirements Under 35 U.S.C. 371 has not been received.

Applicant respectfully requests that a Notice of Acceptance be issued.

Respectfully submitted,
CAESAR, RIVISE, BERNSTEIN,
COHEN & POKOTILOW, LTD.

April 26, 2005

By Marina E. Volin

Marina E. Volin, Esquire

Registration No. 52,328

Customer No. 03000

(215) 567-2010

Attorneys for Applicant(s)

Please charge or credit our Account
No. 03-0075 as necessary to effect
entry and/or ensure consideration of
this submission.